

Office of the  
CLARK COUNTY LAND USE HEARING EXAMINER

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Vancouver WA 98668-9810  
Phone (360) 397-2375  
Form DS1333

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**NOTICE TO PARTIES OF RECORD**

**PROJECT NAME: Amboy Territorial Days Park**

**CASE NUMBERS: PSR2009-00039; CUP2009-00010; SEP2009-00080**

The attached decision of the Land Use Hearing Examiner is final unless a motion is filed for reconsideration or an appeal is filed with Superior Court.

**Motion for Reconsideration:**

Any party of record to the proceeding before the hearings examiner may file with the responsible official a motion for reconsideration of an examiner's decision within fourteen (14) calendar days of written notice of the decision. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The motion must be accompanied by the applicable fee and identify the specific authority within the Code or other applicable laws, and/or specific evidence, in support of reconsideration. A motion may be granted for any one of the following causes that materially affects their rights of the moving party:

- a. Procedural irregularity or error, clarification, or scrivener's error, for which no fee will be charged;
- b. Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- c. The decision is not supported by substantial evidence in the record; or,
- d. The decision is contrary to law.

Any party of record may file a written response to the motion if filed within fourteen (14) calendar days of filing a motion for reconsideration.

The examiner will issue a decision on the motion for reconsideration within twenty-eight (28) calendar days of filing of a motion for reconsideration.

Mailed on: **April 13, 2010**

Project Name: Amboy Territorial Days  
Park  
Project Number: PSR2009-00039  
Planner: Alan Boguslawski  
Hearing Date: 4/8/10

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**Amboy Territorial Park**  
**PSR2009-00039**  
**Planner: Alan Boguslawski**

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**BEFORE THE LAND USE HEARING EXAMINER  
FOR CLARK COUNTY, WASHINGTON**

Regarding an application by Rick Johnson for conditional use permit and site plan approval to place two modular buildings on the Amboy Territorial Days Park site at 21400 NE 399<sup>th</sup> Street in unincorporated Clark County, Washington ) **FINAL ORDER**  
 ) **CUP2009-00010<sup>1</sup>**  
 ) **(Amboy Territorial Days) Park)**

**A. SUMMARY**

1. The applicant, Rick Johnson, requests conditional use permit (CUP2009-00010) and site plan (PSR2009-00039) approval to place two modular buildings on the Amboy Territorial Days Park at 21400 NE 399<sup>th</sup> Street; also known as lots 4 (275463-000) and 92 (275549-000), Section 17, Township 5 North, Range 3 East of the Willamette Meridian. (the "site"). Approval of the applications will also establish a baseline approval for the existing park development. The eastern portion of the site, Tax Lot 275463-00 is zoned P/WL (Parks/Wildlife). The western portion of the site, Tax Lot 275549-000, and abutting properties to the west, southwest and east/northeast are zoned RC-2 (Rural Center Residential, 2-acre minimum lot size). Properties to the north are zoned R-10 (Rural, 10-acre minimum lot size). Properties to the south are zoned RC-1 (Rural Center Residential, 1-acre minimum lot size). Properties to the east/southeast are zoned CR-2 (Rural Center Commercial)

2. The County issued a Determination of Nonsignificance ("DNS") for the proposal pursuant to the State Environmental Policy Act ("SEPA"). Hearing Examiner Joe Turner (the "examiner") conducted a public hearing to receive testimony and evidence regarding the application. County staff recommended approval of the application subject to conditions of approval. See the Development and Environmental Review, Staff Report and Recommendation to the Hearing Examiner dated March 24, 2010 (the "Staff Report"). The applicant accepted those findings and conditions without exceptions. No one else testified orally or in writing, other than public agency staff.

3. Based on the findings provided or incorporated herein, the examiner approves the conditional use permit and preliminary site plan subject to conditions of approval at the end of this final order.

**B. HEARING AND RECORD**

1. The examiner received testimony at a duly noticed public hearing about this application on April 8, 2010. That testimony and evidence, including a videotape of the public hearing and the casefile maintained by the Department of Community Development ("DCD"), are included herein as exhibits. A list of the exhibits is attached to and incorporated into this final order. The exhibits are filed at DCD. The following is a summary by the examiner of selected testimony and evidence offered at the hearing.

<sup>1</sup> This decision also addresses PSR2009-00039 and SEP2009-00080.

2. County planner Alan Boguslawski summarized the Staff Report and showed photographs of the site, Exhibit 22. He noted that a park use was established on the site in 1975 without conditional use approval. However the County subsequently issued several building permits for uses on the site. Therefore the County considers the park use a legal nonconforming conditional use. Approval of this CUP and Site Plan application will “establish a baseline” for approved development on the site. There are several buildings on the site that were constructed without required building and shoreline permits. The applicant is required to bring those buildings into compliance by obtaining required building and shoreline permits, or relocating the buildings outside of the shoreline zone. This is required by conditions of approval A-1.b and c.

3. The applicant, Rick Johnson, accepted the findings and conditions of approval in the Staff Report without exceptions.

4. The examiner closed the record at the end of the public hearing and announced his intention to approve the application subject to the conditions of approval in the Staff Report.

### **C. FINDINGS:**

Only issues and approval criteria raised in the course of the application, during the hearing or before the close of the record are discussed in this section. All approval criteria not raised by staff, the applicant or a party to the proceeding have been waived as contested issues, and no argument with regard to these issues can be raised in any subsequent appeal. The Examiner finds those criteria to be met, even though they are not specifically addressed in these findings. The following issues relate to the mandatory applicable approval criteria for this proposal and were addressed by County staff in their reports, by agency comments, by the applicant and others. The Examiner adopts the following findings with regard to each:

### **LAND USE:**

#### **Finding 1      Uses**

According to the narrative and information provided by the applicant, the current use of the site was originally established when the Amboy Territorial Days Association purchased the property in 1975.

Use of the site as a privately-owned community park is allowed under the Parks/Wildlife zoning and the Rural Center zoning as a “private recreation facility”, subject to approval of a conditional use permit (CUP). The current zoning has been in place since 1994 when the county updated the Comprehensive Plan in compliance with the state Growth Management Act. Between 1980 and 1994 the site was zoned Rural Farm (RF), which also allowed the use as a conditional use. Prior to 1980, the site was in the Rural (FX) zone, which required such use to have a Special Use Permit approved by the Planning Commission and the Board of County Commissioners.

This use of the site is non-conforming in that the property owners have not previously obtained approval of a Special Use Permit or Conditional Use Permit. However, staff considers it a legal non-conforming use (at least in part) because the county has previously acknowledged the use by issuing building permits. Staff's investigation of the county building file reveals that the east restrooms were approved in 1980, a mobile home placement permit was issued for the caretaker residence in 1987, a building permit for the Firemen's concession stand was approved in 1995, and the west restroom facility was approved in 2004. Storage-only permits were issued in 2006 for the two subject modular buildings, which allowed to buildings to be temporarily placed on the site for two years, but the buildings could not be occupied or otherwise used. Staff found no evidence of approvals for other structures on the site.

The proposed use of the two modular buildings is for storage, with a portion of the larger westerly one to be used as an office for on site staff and to hold occasional meetings of the Amboy Territorial Days Association. A condition is warranted to limit the use of the buildings, accordingly. (see Condition A-1.a.)

#### Finding 2 Non-Conforming Uses

In accordance with CCC 40.530.020(B):

*Illegal Nonconforming. Those uses, structures or lots which in whole or part are not in conformance with current zoning standards and were not in conformance with applicable standards at the time of their inception. Illegal nonconforming uses, structures or lots shall not be approved for any alteration or expansion, and shall undertake necessary remedial measures to reach conformance with current standards, or be discontinued.*

The burden of establishing that any non-conformity is a legal non-conformity shall be borne by the owner or proponent of such non-conformity. (CCC 40.530.030)

In order for the entire existing facility to be lawful, it is incumbent upon the owners to obtain the necessary permits for those structures for which permits are required but have not yet been obtained. This includes building permits, as well as a shoreline permit for those structures located within the jurisdictional shoreline environment of Cedar Creek. (see Conditions A-1.b. & c.)

#### Finding 3 Conditional Use Permit

As previously noted, a privately-owned community park is allowed under the RC-2.5 zoning (pursuant to CCC Table 40.210.030-1(3)(b)), subject to approval of a conditional use permit. These same RC-2.5 zoning standards apply to the Parks/Wildlife zoned portion of the site, in accordance with the provisions in CCC 40.200.020(B)(1).

In accordance with CCC 40.520.030(B):

*Changes in use, expansion or contraction of site area, or alteration of structures or uses classified as conditional and existing prior to the effective date of the*

*ordinance codified in this title, shall conform to all regulations pertaining to conditional uses.*

While CCC 40.520.030(G) provides that an existing permitted or lawfully non-conforming conditional use may be expanded or modified through site plan review if the expansion results in less than a 25% cumulative enlargement, the addition of the two proposed modular buildings clearly exceeds 25% of the area of the existing permitted structures on the site. Therefore, a new conditional use permit is required.

Finding 4 Conditional Use Permit Approval Criteria

In accordance with CCC 40.520.030(E):

*E. Action by the Hearing Examiner.*

- 1. In permitting a conditional use the hearing examiner may impose, in addition to regulations and standards expressly specified in this title, other conditions found necessary to protect the best interests of the surrounding property or neighborhood, or the county as a whole. These conditions may include but are not limited to requirements:*
  - a. Increasing the required lot size or setback dimensions;*
  - b. Increasing street widths;*
  - c. Controlling the location and number of vehicular access points to the property;*
  - d. Increasing the number of off-street parking or loading spaces required;*
  - e. Limiting the number of signs;*
  - f. Limiting the lot coverage or height of buildings because of obstructions to view and reduction of light and air to adjacent property;*
  - g. Limiting or prohibiting openings in sides of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area; and*
  - h. Establishing requirements under which any future enlargement or alteration of the use shall be reviewed by the county and new conditions imposed.*
- 2. In order to grant any conditional use, the hearing examiner must find that the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be significantly detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the county.*

According to the applicant's narrative, the use of the modular buildings will be limited to activities already occurring on the site, and will, therefore, not result in any increase in intensity of use of the site. However, staff would point out that this is the first conditional use permit being reviewed for this site. No conditional use review for

necessary mitigations has been previously conducted for the conditional use activities that have already been established on this site. As a result of public testimony through the public hearing process, such needs may be identified, in which case the Examiner is authorized to impose conditions and mitigations he deems necessary and appropriate, as provided above.

#### Finding 5      Development Standards

As previously indicated, the RC-2.5 zoning standards apply to the site, in accordance with the provisions in CCC 40.200.020(B)(1).

The applicable setbacks, in accordance with Table 40.210.030-3 are as follows:

- Front – 25 feet
- Side – 10 feet
- Rear – 10 feet

Based upon the information on the site plan, the proposed modular structures will meet minimum setbacks.

The beer garden stage and concession stand, as identified on the site plan, may not meet the required minimum side setback. As previously indicated, it is incumbent upon the applicant to reconcile existing non-conformities.

The proposed modular buildings comply with the maximum building height standard of 35 feet.

#### Finding 6      ADA Standards

This facility (Amboy Territorial Days Park) hosts public events and provides for the site to be used by the public. Therefore, it is subject to minimum standards of the Americans with Disabilities Act. As a result of comments from Clark County Building Department staff regarding ADA requirements (Exhibit #14), the applicant has submitted a revised site plan (Exhibit #16) showing 13 proposed accessible parking spaces with accessible routes to the modular buildings.

The ADA spaces will need to be permanent on the site. In order to be fully compliant, the final site plan will need to show the required ADA parking signs for each space and the required accessible routes or circulation paths within the site from the accessible parking to the various uses and public structures. (see Condition A-1.e.)

#### **Conclusion (Land Use):**

Based on the above findings, staff concludes that the proposed preliminary plan, subject to the conditions of approval itemized below under Conditions of Approval does or can meet the Land Use Requirements of Clark County Code.

## **ARCHAEOLOGY:**

### **Finding 7 Archaeology**

Based upon Clark County Archaeological Predictive Mapping, 43% of the site is mapped as having Moderate to High (60-100%) probability of containing cultural resources.

An archaeological predetermination survey was conducted by Archaeological Services of Clark County and forwarded to the Washington Department of Archaeology & Historic Preservation. A letter from DAHP dated July 28, 2009 (Exhibit #6, Item 12) states that the department agrees that no further archaeological work is necessary at this time; however, a note on the final site plan will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. (see Condition A-1.d.)

## **TRANSPORTATION:**

### **Finding 8 Roads**

NE 399<sup>th</sup> Street is classified as a "Rural Minor Collector", Rm-2. Clark County Concurrence staff has determined that a traffic study is not required and additional trips are not being proposed. As a result, frontage improvements are not required; however, the applicant is responsible for the dedication of 10 feet of half-width right-of-way in order to meet the 30-foot half-width requirement. The applicant has proposed the 10 feet of right-of-way dedication. (see Condition A-1.f.)

### **Finding 9 Access**

Where connecting to a paved rural street, the connecting road or driveway shall be paved 20 feet back from the edge of the nearest travel lane or to the right-of-way, whichever is greater. Compare the location of the right-of-way to a distance of 20 feet from the travel lane. The greater distance will govern. These distances should be close to equivalent. All driveway approaches to NE 399<sup>th</sup> Street shall be paved back. (see Condition C-1)

### **Finding 10 Road Modifications**

The applicant has submitted a road modification that asks for relief from frontage improvements; however, staff does not believe frontage improvements are required due to the limited trips created by this proposal.

### **Finding 11 Sight Distance**

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede sight distance requirements.

The applicant submitted a sight distance analysis dated December 15, 2009. Per the applicant, the existing posted speed limit across approximately the west half of the property is 50 miles per hour and the posted speed on approximately the east half of

the property is 35 miles per hour. The applicant states that mitigation is required in order to achieve sufficient sight distance from all three existing driveway approaches. A small deciduous tree located just west of the western-most driveway shall be removed. Secondly, a very large fir tree located just east of the middle driveway shall be removed. Thirdly, a large cedar tree located a short distance west of the eastern most driveway impedes sight distance, which shall be addressed by making the existing on-site driveway a one-way driveway. The applicant states that making the driveway loop a one-way driveway is also appropriate because of the narrow width of the driveway (second paragraph). (see Condition C-2)

**Conclusion (Transportation):**

Staff concludes that the proposed preliminary plan, subject to conditions cited above, meets the transportation requirements of Clark County Code.

**TRANSPORTATION CONCURRENCY:**

Finding 12 Concurrency

Concurrency staff has reviewed this CUP for the placement of modular buildings at the Amboy Territorial Days Park. These modular buildings are proposed to house office space and storage with a total new square footage of 2,132. Concurrency has estimated the trip generation of these modular structures as both general office and single tenant office. Both trip generations were less than 10 PM peak hour trips; therefore, a 'Traffic Profile' was required per the Concurrency Ordinance.

The applicant has submitted a Traffic Profile that describes the uses and proposed trip generations; thus, complying with the Concurrency Ordinance.

**STORMWATER:**

Finding 13 Applicability

The provisions of Clark County Code Chapter 40.385 shall apply to all new development, redevelopment, and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) as modified by CCC 40.385 and the county's stormwater manual. This project proposes 2,000 square feet or more impervious area, which is also less than 5% of the site's area; therefore, the applicant shall comply with Minimum Requirements 1 through 5 per the Clark County Stormwater Manual.

Finding 14 Stormwater Proposal

The applicant has provided a stormwater technical information report and has proposed to use downspouts, splash blocks, and dispersion as methods for the disposal of stormwater. The applicant has proposed approximately 6,800 square feet of impervious area including 4,700 square feet of ADA parking spaces and pathways. (see Condition A-3.a.)

**Conclusion (Stormwater):**

Staff concludes that the proposed preliminary stormwater plan is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

**FIRE PROTECTION:<sup>2</sup>****Finding 15 Building Construction**

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.

**Finding 16 Fire Flow**

Fire flow in the amount of 1,000 gallons per minute supplied at 20 PSI for 2 hours duration is required for this application. A letter from Clark County Fire District 10 indicates that the on site fire hydrant has a fire flow of approximately 2,000 gallons per minute.

**Finding 17 Fire Hydrants**

Fire hydrants are required for this application. The existing fire hydrants do not meet the required fire code spacing to structures. Per a letter from the Fire District 10 Fire Chief (Exhibit #20) the existing fire hydrant is adequate to support any structure in this application.

**Finding 18 Fire Apparatus Access**

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application do not adequately provide fire access as required by the fire code. However; per a letter from the Fire District 10 Fire Chief (Exhibit #20) the existing roadway is adequate to support fire access to any structure on this site.

**Conclusion (Fire Protection):**

Staff finds that the proposed preliminary plan, based on the discussion above can meet the fire protection requirements of the Clark County Code.

**WATER & SEWER SERVICE:****Finding 19 Utilities**

This site is served by Clark Public Utilities for public water. Sewer service is provided by two on-site septic systems. The two modular buildings are not proposed to be connected to water and sewer.

<sup>2</sup> This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323, or e-mail at [tom.scott@clark.wa.gov](mailto:tom.scott@clark.wa.gov). Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Finding 20     Health Department

The Clark County Health Department conducted a Development Review Evaluation dated November 19, 2009, submitted by the applicant (Exhibit #6, item 11). The document states that both on-site sewage systems have current satisfactory operation and maintenance reports. The proposed locations of the two portable units will not encroach on the on the on-site sewage systems or the reserve areas.

**Conclusion (Water & Sewer Service):**

Staff concludes that the proposed preliminary plan meets the water and sewer service requirements of the Clark County Code.

**D. CONCLUSION**

Based on the findings and discussion above, the examiner concludes that the proposed development does or can comply with the applicable standards of the Clark County Code and will not be significantly detrimental to people or property in the vicinity or to the general welfare of the County, provided the applicant complies with conditions of approval necessary to ensure the use does in fact comply with the applicable law and with measures to prevent or mitigate adverse impacts of the use.

**E. DECISION**

Based on the foregoing findings and except as conditioned below, the examiner hereby approves CUP2009-00010, PSR2009-00039 and SEP2009-00080 (Amboy Territorial Days Park) in general conformance with the applicant's Revised Site Plan (Exhibit 16) and the related plans, reports and proposal (Exhibits 6, 8 and 18). The approval is granted subject to the requirements that the applicant, owner or subsequent developer (the "developer") shall comply with all applicable code provisions, laws and standards and the following conditions. These conditions shall be interpreted and implemented consistently with the foregoing findings.

<b>Conditions of Approval</b>
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<b>A</b>	<b>Final Construction/Site Plan Review</b>
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	<b>Review &amp; Approval Authority: Development Engineering</b>
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Prior to construction, a Final Construction/Site Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

**A-1 Final Site Plan** – The applicant shall submit and obtain county approval of a final site plan in conformance with CCC 40.520.040 and the following conditions of approval:

**a.** The following note shall be placed on the face of the final site plan:

"The use of the modular buildings shall be limited to storage of items related to the site events and activities, except a portion of the westerly building may be used as an office for on-site staff and meetings of the Amboy Territorial Days Association. No other use of these buildings is approved." (see Finding 1)

- b. Prior to final site plan approval, the property owners shall obtain final approval of building permits for those existing structures on the site that require building permits under County Code, which have not been obtained. (see Finding 2)
- c. Prior to final site plan approval, the property owners shall obtain a shoreline permit for any non-exempt structures located within the jurisdictional shoreline of Cedar Creek, in accordance with the Washington Shoreline Management Act of 1971 and the Clark County Shoreline Management Master Program. Alternatively, applicable structures shall be removed from the jurisdictional shoreline. (see Finding 2)
- d. Archaeology - A note shall be placed on the face of the final construction plans as follows:

"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines." (see Finding 7)
- e. The final site plan shall show the required ADA parking signs for each accessible space and the required accessible routes or circulation paths within the site from the accessible parking to the various uses and public structures. (see Finding 6)
- f. Right-of-way Dedication - Prior to final site plan approval, right-of-way dedication documents (in a format to be provided by the county) for the site frontage of NE 399<sup>th</sup> Street shall be recorded. (see Finding 8)

#### **A-2 Transportation:**

- a. Traffic Control Plan: If necessary, prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

#### **A-3 Excavation and Grading** - Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

- a. A grading permit shall be submitted for review and approval. (see Finding 14)

<b>B</b>	<b>Prior to Construction of Development</b> <b>Review &amp; Approval Authority: Development Inspection</b>
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Prior to construction, the following conditions shall be met:

- B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-3 Erosion Control** - Erosion control facilities shall not be removed without County approval.

<b>C</b>	<b>Provisional Acceptance of Development</b> <b>Review &amp; Approval Authority: Development Inspection</b>
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

- C-1** All driveway approaches to NE 399<sup>th</sup> Street shall be paved back. Where connecting to a paved rural street, the connecting road or driveway shall be paved 20 feet back from the edge of the nearest travel lane or to the right-of-way, whichever is greater. (see Finding 9)
- C-2** Sight distance mitigation and signage shall be provided in accordance with the analysis performed by the applicant. The applicant shall propose signage indicating that the on-site driveway is a one-way driveway. The eastern driveway of the loop shall be an "in" only driveway approach and the western driveway of the loop shall be an "out" only. (see Finding 11)

<b>D</b>	<b>Final Plat Review &amp; Recording</b> <b>Review &amp; Approval Authority: Development Engineering</b>
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Prior to final plat approval and recording, the following conditions shall be met:

- D-1 Not Applicable**

<b>E</b>	<b>Building Permits</b> <b>Review &amp; Approval Authority: Customer Service</b>
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Prior to issuance of a building permit, the following conditions shall be met:

- E-1 None**

<b>F</b>	<b>Occupancy Permits</b> <b>Review &amp; Approval Authority: Building</b>
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 None

<b>G</b>	<b>Development Review Timelines &amp; Advisory Information</b> <b>Review &amp; Approval Authority: None - Advisory to Applicant</b>
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**G-1 Expiration of Land Use Approvals** - Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

**G-2 Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required If:

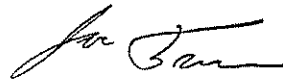
- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one-acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

<b>H</b>	<b>Post Development Requirements</b> <b>Review &amp; Approval Authority: As specified below</b>
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H-1 None

DATED this 13th day of April 2010.



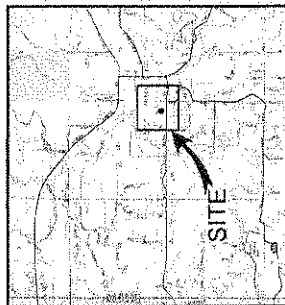
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Joe Turner, AICP  
Clark County Hearing Examiner

Located in the SE 1/4 of Section 17 T5N, R3E, W4M.  
Clark County, Washington

[illegible]

Building Description	4-44 [41-43]	4-44 [41-43]
West Entrance	505	505
Food Service	3,600	3,600
Thru Outlets	475	475
Top Snow Storage	425	425
Top Snow Storage	1,100	1,100
Base, Section Connected Road	725	725
Base, Section Connected Road	100	100
Base, Section Connected Road	380	380
Base, Section Connected Road	1,500	1,500
Base, Section Connected Road	84	84
Base, Section Connected Road	1,000	1,000
Base, Section Connected Road	94	94
Base, Section Connected Road	525	525
Base, Section Connected Road	2,145	2,145
Base, Section Connected Road	100	100
Base, Section Connected Road	50	50
Base, Section Connected Road	225	225



Donors frequently disregard all boundary lines and attempt to create a Cedar Creek have been approximately 1000 acres. The property owner's deed references part of the road but not the entire road. The property owner's deed references part of the road but not the entire road. The property owner's deed references part of the road but not the entire road.

Graveling aside, what rare spaces have a Siskin worth. All notable spaces are SNZ's in size.

The map shows the northern Adriatic coastline of Italy. Sampling stations are indicated by numbers 1 to 10. Station 1 is near the Gulf of Genoa, station 2 is further east, and stations 3 through 10 are distributed along the coast from the Ligurian Sea down to the Tyrrhenian Sea. The map includes a latitude scale from 43°N to 45°N and a longitude scale from 10°E to 15°E. A scale bar indicates distances up to 100 km.

SAUL HARRINGTON  
BETHLEHEM  
JAN 28 1962

SAUL HARRINGTON  
BETHLEHEM  
JAN 28 1962

Year	Percentage of Population Aged 65 and Over
1900	4.0
1910	4.5
1920	5.0
1930	5.5
1940	6.0
1950	6.5
1960	7.0
1970	7.5
1980	8.0
1990	8.5
2000	16.0

10

[illegible]



# HEARING EXAMINER EXHIBITS

Project Name: AMBOY TERRITORIAL PARK ASSOCIATION

Case Number: CUP2009-00010; PSR2009-00039; SEP2009-00080

Hearing Date: 4-8-10

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1		CC Development Services	Aerial Map
2		CC Development Services	Vicinity Map
3		CC Development Services	Zoning Map
4		CC Development Services	Comprehensive Plan Map
5	9/17/09	Applicant: Rick Johnson	Full Size Map
6	9/17/09	Applicant: Rick Johnson	Application Packet: Cover Sheet, Application Form, Pre-App Rpt, GIS Packet, Narrative, Plans, Stormwater Design, Engineers Statement, Traffic Profile, SEPA Checklist, Public Health Letter, Arch Pre-Determination, Sight Distance Cert, Deeds, Email re: Zoning Designation, Road Mod Request
7	10/9/09	CC Development Services	Development Review NOT Fully Complete Letter
8	10/19/09	Applicant: Rick Johnson	Letter re: Exhibit # 7
9	11/24/09	CC Development Services	Development Review 2nd NOT Fully Complete Letter
10	12/28/09	CC Development Services	Development Review 3 <sup>rd</sup> NOT Fully Complete Letter
11	1/25/10	CC Development Services	Development Review Fully Complete Letter
12	2/3/10	CC Development Services	Notice of Type III Review/Optional SEPA/Public Hearing
13	2/3/10	CC Development Services	Affidavit of Sending Type III Notice
14	2/24/10	CC Development Services	Early Issues Comments
15	3/10/10	PLS Engineering	Addendum to Drainage Report
16	3/12/10	Applicant: Rick Johnson	Revised site plan, stormwater plan, response to early issues.

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
17	3/16/10	Applicant Contact: Tom Self	Affidavit of Posting Land Use Sign
18	3/16/10	PLS Engineering	Stormwater Pollution Prevention Plan
19	3/19/10	CC Development Services	Affidavit of Posting Public Notice
20	3/22/10	Clark County Fire District 10	Letter regarding fire hydrants and access
21	3/22/10	CC Development Services – Alan Boguslawski, Project Planner	Type III Development & Environmental Review, Staff Report & Recommendation
22	4/8/10	CC Development Services	Power Point Pictures

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division  
1300 Franklin Street  
Vancouver, WA 98666-9810